

REMARKS

This responds to the Office Action mailed on July 9, 2008.

Claim 1 is amended, no claims are canceled, and no claims are added; as a result, claims 16-20 are now pending in this application. The amendments are fully supported by the current application (e.g., at page 11, par. 37; page 12, par. 38; and FIG. 2, callout 206) and add no new matter.

§103 Rejection of the Claims

Claims 16-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shiloh (U.S. Publication No. 2001/0037316) and further in view of Lussow et al. (U.S. Publication No. 2004/015553424, hereinafter “Lussow”). For at least the reasons set forth below, Applicants respectfully submit that, in light of the amendments, this rejection is moot, and the amended claims are non-obvious over Shiloh and Lussow.

Claim 16, as amended, now recites, in pertinent part:

“... performing operations, by the integrated shipping server, including:
... interacting with an on-line interface hosted by the shipping vendor to register the sender with the shipping vendor and to arrange for shipment of the package via the shipping vendor, using the shipping information, such that the interaction appears as being directly from the sender.”

(Emphasis added throughout)

The Office Action in rejecting claim 16, when discussing the claim limitation of “interacting with an online interface . . . through use of shipping information” relies on paragraphs 0085, 0087, and 0090 for support in Shiloh. Applicants respectfully submit that Shiloh in the cited passages does not disclose the above amended claim 16 features. Shiloh is directed to “a method of enabling a real entity to access a service on a communication network using a virtual entity.”¹ In the cited paragraphs, Shiloh provides that “user 30 may wish to purchase from the e-tailer goods that require shipping, such as a book or toaster. The user interacts with the e-tailer in a known manner.”² Shiloh further states:

“the e-tailer prepares the product for shipping at the optimal dispatch site, . . .
The shipping company, which preferably operates or is associated with the AVPP

¹ Shiloh, Abstract

² Shiloh, paragraph 0090

real world site organization, as described above, identifies the shipment as being for a user of the AVPP system and sends the virtual shipping-address to the shipping processing division 34 of the AVPP real world site 22.”³

The above quoted passage is silent with respect to the claimed features of “*interacting with an on-line interface hosted by the shipping vendor to register the sender with the shipping vendor*” and “*to arrange for shipment of the package via the shipping vendor, using the shipping information, such that the interaction appears as being directly from the sender.*” Instead, Shiloh relates “the AVPP may include a shipping division, . . . Alternatively, the AVPP may contract with a trusted third party to handle the shipping . . . The third party shipper may obtain the real user’s shipping address from an organ of the AVPP directly.”⁴ In either case, whether using its own shipping division or contracting with a trusted third party, Shiloh does not register the sender with the shipping vendor and does not arrange for shipment of the package . . . such that the interaction appears as being directly from the sender, as required by the amended claim 16. As such, Shiloh, separately or in the combination, does not disclose the limitation of “*performing operations, by the integrated shipping server, including: . . . interacting with an on-line interface hosted by the shipping vendor to register the sender with the shipping vendor and to arrange for shipment of the package via the shipping vendor, using the shipping information, such that the interaction appears as being directly from the sender,*” as recited in the amended claim 16.

Lussow provides systems, methods and computer-readable media that “can be used to charge the cost of shipment of a package to an appropriate cost center and sub-category thereof through the use of a procurement card.”⁵ In review of the disclosures of Lussow, Applicants did not find any passage that teach or suggest what was shown to be missing from Shiloh. Therefore, Shiloh and Lussow, individually or in the combination, fail to teach or suggest each and every element of the amended claim 16.

Accordingly, there are substantial differences between the claimed subject matter of the amended claim 16 and the disclosures in the combination of Shiloh and Lussow. Because the cited documents do not show all of the elements of the claimed subject matter of the amended

³ Shiloh, paragraph 0090

⁴ Shiloh, paragraph 0032

⁵ Lussow, Abstract

claim 16, those differences are significant and non-obvious to a person of ordinary skill in the art at the time the application was filed. Furthermore, nothing in the disclosures of Shiloh or Lussow provides a reason for a person of ordinary skill in the art to seek to combine Shiloh and/or Lussow in the manner suggested by the Examiner. Therefore, Applicants respectfully submit that the amended claim 16 and its dependent claims 17-20 are not rendered obvious by the combination of documents suggested by the Office Action and are allowable. Thus, reconsideration, in light of the amendments, and withdrawal of the claim rejections under 35 U.S.C. § 103(a) are respectfully requested.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (408) 278-4053 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(408) 278-4053

Date October 7, 2008

By Ali Miresghhi
Ali Miresghhi
Reg. No. 58,726

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 7, 2008.

Name

Chris Breen

Signature

Chris Breen